



AN ACT REQUIRING THE PRESERVATION OF MONUMENTS FOR THE PURPOSES OF LAND SURVEYS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1. Monument preservation.** (1) A public or private entity or person shall, before engaging in activity that will or is likely to disturb or destroy a monument or the accessories to a monument, require the following activities to be performed by a professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

- (a) locate and reference the monument or the accessories to the monument; and
- (b) file a corner record showing the location of the references to the monument or to the accessories to the monument as required in 70-22-104 and 70-22-105.

(2) A public or private entity or person shall, within 30 days of completing activity that has disturbed or destroyed a monument or the accessories to a monument, require the following activities to be performed by a professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

- (a) restore or replace the monument or the accessories to the monument, using the references established in subsection (1)(b); and
- (b) file a new corner record as required in 70-22-104 and 70-22-105.

**Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 70, chapter 22, part 1, and the provisions of Title 70, chapter 22, apply to [section 1].

- END -

I hereby certify that the within bill,  
SB 0193, originated in the Senate.

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Secretary of the Senate

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

SENATE BILL NO. 193  
INTRODUCED BY D. MCGEE

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